

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

	)	
<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Criminal No. 5:14-cr-00244</b>
	)	
<b>DONALD L. BLANKENSHIP</b>	)	
	)	

**DEFENDANT’S PROPOSED JURY INSTRUCTIONS**

Pursuant to the Court’s June 12, 1015 order (ECF No. 280), Donald L. Blankenship, through counsel, hereby submits his proposed jury instructions. Attached at Exhibit A are proposed instructions for the opening of the trial. Attached at Exhibit B are proposed instructions for the close of trial.

These proposed instructions are subject to modification and supplementation by the defense based on trial evidence, trial argument, and legal rulings. The defense will submit any modifications or additions, including without limitation theory of the defense instructions, at the close of the evidence or as otherwise required by the Court.

In proposing these instructions, Mr. Blankenship does not in any way waive or modify his objections to the superseding indictment that are asserted in his motions to dismiss. The Court denied those motions, and the defense maintains an objection to those rulings. While these proposed instructions are made necessary, over defense objection, by these rulings of the Court, the defense continues to assert – and now reasserts – that the alleged offenses, claims, and theories pursued by the government are not legally viable, that each count of the superseding

indictment should be dismissed for the reasons stated in the dismissal motions, and accordingly that no instructions should be given on them.

Dated: September 8, 2015

Respectfully submitted,

/s/ William W. Taylor, III

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been electronically filed and service has been made  
by virtue of such electronic filing this 8th day of September, 2015 on:

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